

ENFORCEMENT OF SPEED RESTRICTIONS
BY MUNICIPAL AND REGIONAL POLICE DEPARTMENTS
ON LIMITED-ACCESS AND DIVIDED HIGHWAYS

2.01 PURPOSE

The purpose of this regulation is to establish procedures whereby qualified municipal and regional police departments may enter into an agreement with the Pennsylvania State Police to enforce speed restrictions as authorized by Title 75, Vehicle Code, Chapter 33, Subchapter F, on limited-access or divided highways located within their jurisdiction.

2.02 AUTHORITY

The authority to enter into such an agreement is derived from Title 75, Chapter 61, Section 6109(a)(11).

2.03 RESPONSIBILITIES AND PROCEDURES

- A. General: When a municipal or regional police department requests to enter into or renew an agreement with the **Pennsylvania State Police** in accordance with Section 2.01 of this regulation, **Pennsylvania State Police** personnel shall provide **the applicable** Municipal/Regional Police Department Speed Enforcement Intergovernmental Agreement With the Pennsylvania State Police, Form SP 6-106 (**Appendage A**) for **full-time municipal/regional police departments, or Form SP 6-106A (Appendage B) for part-time municipal/regional police departments**, to the requester for completion.

NOTE: Appendages A and B are available to requesting municipal/regional police departments on the Pennsylvania State Police public website and the Municipal Police Officers' Education and Training Commission website.

- B. Municipal/Regional Police Department: The chief or head of the municipal or regional police department requesting an agreement shall be responsible for completing the **applicable** Municipal/Regional Police Department Speed Enforcement Intergovernmental Agreement With the Pennsylvania State Police, and affixing their signature and date on the original. **A separate Municipal/Regional Police Department Speed**

Enforcement Intergovernmental Agreement with the Pennsylvania State Police shall be prepared/submitted for each highway for which an agreement is sought.

1. **Full-time municipal/regional police departments shall submit their request(s) on a Full-Time Municipal/Regional Police Department Speed Enforcement Intergovernmental Agreement With the Pennsylvania State Police (Appendage A). For the purposes of this regulation, a full-time police department is one that provides service to its jurisdiction 24 hours a day, 7 days a week, 365 days a year.**
 2. **Part-time municipal/regional police departments shall submit their request(s) on a Part-Time Municipal/Regional Police Department Speed Enforcement Intergovernmental Agreement With the Pennsylvania State Police (Appendage B). For the purposes of this regulation, a part-time police department is one that does not meet the service requirements of a full-time police department as defined within this regulation.**
 3. The chief or head of the municipal or regional police department shall enter their initials in the space provided in paragraph 11 of the agreement if it is their intent to comply with the provisions of that section.
 4. The completed form shall be submitted to the Troop Headquarters/Station responsible for the **geographic** area wherein the requested speed enforcement is to occur.
- C. Patrol Section Supervisors/Station Commanders: The affected Patrol Section Supervisor/Station Commander shall review the **proposed** Municipal/Regional Police Department Speed Enforcement Intergovernmental Agreement With the Pennsylvania State Police for accuracy, completion, and compliance with the criteria established in Section 2.05 of this regulation. The Patrol Section Supervisor/Station Commander shall then recommend approval/disapproval of the proposed agreement and forward the **original** completed form and recommendation to the affected Troop Commander.

- D. Troop Commanders: The affected Troop Commander shall review the **proposed** Municipal/Regional Police Department Speed Enforcement Intergovernmental Agreement With the Pennsylvania State Police; prepare an endorsement for approval/disapproval, including a recommendation regarding the municipal/regional police department's compliance with paragraph 11 of the agreement; and forward the **original** completed form and endorsement/recommendation, through channels, to the Director, Bureau of Patrol.
- E. Director, Bureau of Patrol: Upon receipt and review of the submitted documents, the Director, Bureau of Patrol shall forward a copy of the **proposed** Municipal/Regional Police Department Speed Enforcement Intergovernmental Agreement With the Pennsylvania State Police to the Director, Bureau of Research and Development, to verify the requesting **police** department's compliance with the reporting requirements of the Pennsylvania Uniform Crime Reporting (UCR) Act (Act 180 of 2004). If after verification of UCR Act compliance, the Director, Bureau of Patrol approves the agreement, he/she shall affix their signature and, if applicable, enter their initials in the space provided in paragraph 11 of the agreement. The Director, Bureau of Patrol shall then forward copies of the completed/signed agreement, along with correspondence indicating whether the municipal/regional police department is to comply with the provisions of paragraph 11, to the municipal/regional police department; the affected Troop Commander; and the Director, Bureau of Research and Development.
- F. Director, Bureau of Research and Development: Upon receipt of the **proposed** Municipal/Regional Police Department Speed Enforcement Intergovernmental Agreement With the Pennsylvania State Police, the Director, Bureau of Research and Development shall verify the requesting **police** department's compliance with the reporting requirements of the Pennsylvania UCR Act. The Director, Bureau of Research and Development shall notify the Director, Bureau of Patrol of the findings **within ten days of receipt of the proposed agreement**.
- G. The original completed/signed Municipal/Regional Police Department Speed Enforcement Intergovernmental Agreement With the Pennsylvania State Police shall be retained by the Bureau of Patrol for **one year from the date of expiration/rescission, and purged annually**. Troop Commanders may retain a copy of the completed/signed

agreement and/or forward a copy to the affected Patrol Section Supervisor/Station Commander for retention.

2.04 TERMS OF AGREEMENT

- A. The Municipal/Regional Police Department Speed Enforcement Intergovernmental Agreement With the Pennsylvania State Police shall continue in force for a period of two years from the date of execution, unless rescinded or annulled by either party or the Commissioner of the Pennsylvania State Police or designee. If both parties agree to renew the agreement upon its expiration, a new Municipal/Regional Police Department Speed Enforcement Intergovernmental Agreement With the Pennsylvania State Police shall be completed and submitted for review/approval in accordance with this regulation.

NOTE: If approval of the renewed agreement is not received prior to the expiration of the previous agreement, all privileges granted to the affected municipal/regional police department in the previous agreement are null and void pending approval and execution of the new agreement.

- B. If a Troop Commander determines a Municipal/Regional Police Department Speed Enforcement Intergovernmental Agreement With the Pennsylvania State Police should be rescinded prior to its expiration date, he/she shall forward correspondence, through channels, to the Director, Bureau of Patrol, indicating the reason(s) the agreement should be rescinded. When applicable, the correspondence shall include an explanation that the affected municipal/regional police department no longer meets the approval criteria or terms of the agreement. The Director, Bureau of Patrol will then provide correspondence to the municipal/regional police department; the affected Troop Commander; and the Director, Bureau of Research and Development, advising them of the rescission of the agreement.

2.05 APPROVAL CRITERIA

- A. The **agency** making the request must be a properly constituted **municipal/regional** police department **as defined by Act 120, the Municipal Police Officers' Training Act, employing officers certified in accordance with the Act.**

- B. The municipal/regional police department must agree and affirm that it does not establish enforcement quotas for its personnel.
- C. The limited-access or divided highway wherein the speed enforcement is to occur is conducive to traffic enforcement activities that do not, in any manner, jeopardize highway or officer safety.
- D. The speed-timing device(s) used by the requesting municipal/regional police department to enforce speed restrictions on the affected limited-access or divided highway **within its** jurisdiction must be in compliance with the provisions of Title 75, Chapter 33, Subchapter F.
- E. **If the requesting municipal/regional police department is not a full-time police department as defined within this regulation, it must agree to provide its hours of operation to the Pennsylvania State Police Station responsible for providing police coverage to its jurisdiction when it is not in service.**
- F. The municipal/regional police department making the request must be in compliance with the reporting requirements of the Pennsylvania UCR Act, and must remain in compliance with **said** requirements throughout the term of the agreement.
- G. If paragraph 11 of the Municipal/Regional Police Department Speed Enforcement Intergovernmental Agreement With the Pennsylvania State Police is initialed, the municipal/regional police department will agree to cooperatively enhance highway safety efforts by responding to all police incidents, requests for police services, and crashes occurring on the affected limited-access or divided highway **within its** jurisdiction.

EXCEPTION: This provision does not apply to affected part-time municipal/regional police departments when they are not in service.